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* 100805-3385005 PATENTS 100809-16280

To: Assistant Commissioner for Patents 09, 342, 877 City Docket No. SECU 18 940

Serial/Patent No. 09, 342, 877 Date Mailed 7/10/02

Filing date ECU 10/20/01 Attorney Tham

Inventor(s): ECU 10/20/01

Title: Method and system for monitoring utility condition of contents of container

The U.S. Patent & Trademark Office stamp herein acknowledges receipt of the following:

<input type="checkbox"/> Application (Utility, <u> </u> or Design <u> </u>)	Total Pages
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Sheets of Drawings (Figs. <u> </u>)
<input type="checkbox"/> Declaration and Power of Attorney	<input type="checkbox"/> Fee Transmittal Sheet
<input type="checkbox"/> Transmittal Letter	<input type="checkbox"/> Response to Missing Parts
<input type="checkbox"/> Small Entity Form	<input type="checkbox"/> Amendment
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> IDS & Citation in Application Form
<input type="checkbox"/> Response to Office Action	<input type="checkbox"/> Certified Copy of Priority Document
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Issue Fee Transmittal Form(s)
<input type="checkbox"/> Petition	Check(s) # <u> </u> for \$ <u> </u>
<input type="checkbox"/> Certificate of Mailing <u>8/24/02</u>	Letter to Official Draft Person
<input type="checkbox"/> Express Mail Certificate <u>Label</u>	Corrected Figures
<input checked="" type="checkbox"/> Other <u>Request for Refund of Fee</u>	Request for Refund of Fee

COPIES OF REQUEST FOR REFUND OF FEE RECEIVED, 7/10/02

USPS LETTERMAN SM MAIL LETTER FILING OFFICE OF SPATIAL CHINA, 100809-16280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Ken KUTARAGI, et al.
Serial No : 09/942,977
Filed : August 30, 2001
Title : METHOD AND SYSTEM FOR.....

Foran
Filed by Express Mail
(Receipt No. 8834-9290-571)
on Jul-23-2002
pursuant to 37 C.F.R. 1.10.
by *[Signature]*
PATENT MAIL

July 23, 2002

Commissioner of Patents
Box DAC
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.10(c)

SIR:

Applicants filed a Request for Corrected Filing Receipt in the above-referenced application on May 31, 2002, which is attached for reference. Because the requested correction relates to a date of filing governed by an Express Mail procedure, Applicants' should have filed a petition in accordance with 37 C.F.R § 1.10(c). The present petition is made accordingly.

Upon information and belief, Applicants deposited the above-referenced application with the USPS on August 30, 2001 and received a copy of Express Mail Receipt EL639693967US with a "date in" of August 30, 2001. Upon information and belief, a copy of this receipt was subsequently misplaced or lost by Applicants.

The USPS delivery record attached to the attached request of June 7, 2002 clearly shows that the Express Mail package EL639693967US was received in the United States Patent and Trademark Office on August 31, 2001 at 6:50 A.M. Applicants subsequently received a return post card for the above-referenced application indicating that it had been received in the USPTO on August 31, 2001. Upon information and belief, a true

08/05/2002 AXELLEY 00000019 508290 130.00 CH 01 FC:122

copy of this post card is attached to this petition. This post card indicates that the application was mailed on August 30, 2001 in Express Mail package EL639693967US. Further, upon information and belief, the Request of June 7, 2002 includes a true copy of the first page of the above-referenced application that includes a stamp also indicating that the application was filed in Express Mail package EL639693967US.

In order for the application to have been received via Express Mail package EL639693967US at the USPTO on August 31, 2001 at 6:50 A.M., it clearly must have been deposited with the USPS no later than August 30, 2001. Accordingly, Applicants respectfully submit that the above-referenced application is therefore entitled to a filing date of August 30, 2001 based on the Express Mail deposit date rather than the actual date of receipt by the USPTO. Applicants petition the Commissioner to accord the application a corrected filing date of August 30, 2001, and to provide Applicants with a corrected filing receipt reflecting this application date.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-1290.

Respectfully submitted,



Thomas D. Bean
Reg. No. 44,528

Katten Muchin Zavis Rosenman
575 Madison Avenue
New York, NY 10022-2585
(212) 940-8800
Docket No: SCEW 18.970

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Ken KUTARAGI, et al.
Serial No : 09/942,977
Filed : August 30, 2001
Title : METHOD AND SYSTEM FOR MONITORING.....

May 31, 2002.

Attn: Customer Corrections Division
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT


SIR:

We received the **Filing Receipt** on the above-referenced case, copy enclosed, wherein the PTO incorrectly listed the **FILING DATE** as **AUGUST 31, 2001**. Please change the same to read: **AUGUST 30, 2001**. As we cannot locate the original Express Mail Receipt (EL639693967US), we enclose herewith a delivery record from the United States Postal Service, showing that the application was received in the United States Patent and Trademark Office on August 31, 2001 at 6:50 A.M. The only way the application could be received at the USPTO on August 31, 2001 at 6:50 A.M. is if it was deposited with the USPS on August 30, 2001. Thus, August 30, 2001 is the proper filing date.

We also enclose a copy of the transmittal sheet and the first page of the specification, showing the Express Mail Item Number.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-1290.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

Katten Muchin Zavis Rosenman
575 Madison Avenue 15th Floor
New York, New York 10022-2585
(212) 940-8800
Docket No.: SCEW 18.970



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/942,977	08/31/2001 08/30/2001	2651	1290	100809- 16280 (SCEW 18.970	6	17	8

CONFIRMATION NO. 7679

UPDATED FILING RECEIPT



OC000000007183934

026304
ROSENMAN & COLIN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

Date Mailed: 12/12/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ken Kutaragi, Kanagawa, JAPAN;
Shinichi Okamoto, Tokyo, JAPAN;
Keiso Shimakawa, Kanagawa, JAPAN;
Toyoshi Okada, Tokyo, JAPAN;
Muneki Shimada, Tokyo, JAPAN;
Minoru Hashimoto, Tokyo, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2000-266154 09/01/2000
JAPAN 2001-261723 08/30/2001

If Required, Foreign Filing License Granted 10/02/2001

Projected Publication Date: 03/21/2002

Non-Publication Request: No

Early Publication Request: No

Title

Method and system for monitoring utilizing condition of contents, computer program and recording medium

Preliminary Class

369

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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UNITED STATES
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Dear BRENDY BELOMY:

The following is in response to your 05/29/2002 request for delivery information on your Express Mail item number EL639693967US. The delivery record shows that this item was delivered on 08/31/2001 at 06:50 AM in WASHINGTON, DC 20231 to M BOSTON. The scanned image of the recipient information is provided below.

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SCEW 18.970
First Inventor K. KUTARAGI
Title METHOD AND SYSTEM FOR MONITORING...
Express Mail Label No. EL639693967US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 34]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____

Prior application information:

Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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Samson Helfgott

Registration No. (Attorney/Agent)

23,072

Signature

Date

08/30/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Filed by Express Mail
(Receipt No. 20010307)
on Aug 31 2001
pursuant to 37 C.F.R. 1.10
by [Signature]

METHOD AND SYSTEM FOR MONITORING UTILIZING CONDITION OF CONTENTS,
COMPUTER PROGRAM AND RECORDING MEDIUM

CROSS-REFERENCE TO RELATED APPLICATIONS

5

This application is based upon and claims the benefit of
priorities from the prior Japanese Patent Applications No.
2000-266154 filed on September 1, 2000 and No. 2001-261723 filed
on August 30, 2001, the entire contents of both of which are
10 incorporated herein by reference.

BACKGROUND OF THE INVENTION

1. Field of the Invention

15

The present invention relates to a technique for distributing
contents which includes, for example, game programs, video signals,
image data, sound data, music data, character information or the
composition of them.

20

2. Description of the Related Art

Along with the popularization of the internet, distributing
contents to numbers of people is becoming easier. Recently, pay
services of distributing contents are implemented actively.
25 However, in the wide-area network like the internet to which general
public people can access, piracy and interception of contents arises
easily, thus security and copyright of contents cannot be fully
protected.

30

Moreover, when the contents is distributed using pay service,
it is difficult to set charge fee properly, because it is hard to
figure out how much the paid contents is utilized.

Docket No.: SCEW 18.970

Mailed: August 30, 2001

For: METHOD AND SYSTEM FOR MONITORING UTILIZING CONDITION OF
CONTENTS, COMPUTER PROGRAM AND RECORDING MEDIUM

Enclosures:

- ☒ Transmittal Sheet (in duplicate) ☒ 1-34pgs of spec.
- ☐ Fee Transmittal Sheet (in duplicate)
- ☒ 6 Sheets of Drawings (1-3, 4-5, 6-7, 8)
- ☐ Sub-Power of Attorney
- ☐ Original Signed Decl.
- ☐ Declaration (UNEXECUTED)
- ☐ Preliminary Amendment
- ☐ Form PTO-1619A&B Assignment
- ☐ Cert. Copies of _____ Appln. No. (s) _____
- ☐ Small Entity Statement
- ☐ Check for \$ _____
- ☐ Info. Disc. Statement, PTO-1449, Copy(ies) of _____
- ☐ Other _____

11000 U.S. PTO

09/942977



08/31/01

Filed Via Express Mail No. EL639693967US

Stamp of USPTO

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